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ILLINOIS COMMERCE COMMISSION**

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**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

APR 21 2 13 PM '00

**Commonwealth Edison Company**

CHIEF CLERK'S OFFICE

**Petition for expedited approval of  
Implementation of a market based  
Alternative tariff, to become effective  
On or before May 1, 2000, pursuant  
Article IX and Section 16-112(c) of the  
Public Utilities Act.**

**Docket No. 00-0259**

**NICOR ENERGY, L.L.C.'S COMMENTS**

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Attorney for Nicor Energy, L.L.C.

April 18, 2000

Also, indicate if any other attorney(s) representing a utility in this proceeding are also representing a retail electric supplier (RES) affiliated with that utility in this or any other Commission proceeding; or, if representing a RES in this proceeding, are any such attorney(s) also representing a utility affiliated with that RES in this or any other Commission proceeding.

For the purposes of these Comments, the Law Office of Michael A. Munson is representing the interests of Nicor Energy, L.L.C., an Alternative Retail Electric Supplier within the meaning of Section 16-102 of the Illinois Public Utilities Act (220 ILCS 5/16-102). Nicor Energy is a subsidiary of Nicor, Inc., a gas utility within the meaning of the Illinois Public Utilities Act. Nicor Energy is a joint venture between Nicor Inc. and Houston-based Dynegy Corporation. Dynegy Corporation owns Illinois Power Company, a public utility within the meaning of Article IX of the Illinois Public Utilities Act. The Law Office of Michael A. Munson is also representing Nicor Energy L.L.C. in ICC docket No. 00-0007, but is not representing any other utilities or ARES in any current proceeding. In addition to representing Nicor Energy, L.L.C. in the present proceeding, the Law Office of Michael A. Munson is also representing Sieben Energy Associates, a Chicago-based energy consulting firm. However, these Comments are being filed on behalf of Nicor Energy, L.L.C., and do not necessarily reflect the opinions of Sieben Energy Associates.

6. The proposed tariffs contained in the Petition are applicable only to ComEd. Given the current status of competition and choice in Illinois, how, if at all, would the approval of this proposal affect the adoption of market index based tariffs to determine market value by other electric utilities in Illinois as well as the development of retail competition in service territories in Illinois other than the ComEd service territory?

Nicor Energy is uncertain of the implication of the passage of ComEd's PPO-MI proposal on the use of NFF or alternative market indices in other utility territories. Nicor Energy believes that other electric utilities, by collecting transition charges, should expeditiously file to replace their current use of the NFF with a market index for the determination of market value. Any other proposed market index should reflect the market price of power in those territories.

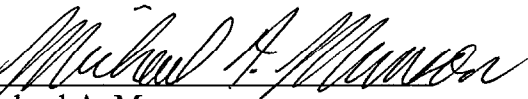
## CONCLUSION

For the reasons set forth in these Comments, Nicor Energy, L.L.C. respectfully requests that the Commission enter an Order in this docket consistent with the following:

1. Adopt Commonwealth Edison's Petition for a Market Based Index to replace the Neutral Fact Finder process effective May 1, 2000;
2. Enter a notice of rulemaking in conformance with the arguments presented.

Respectfully submitted,

LAW OFFICE OF MICHAEL A. MUNSON

By 

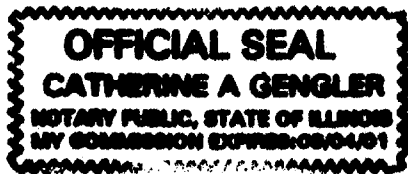
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Counsel for NICOR ENERGY  
April 18, 2000

STATE OF ILLINOIS     )  
                                      )  
COUNTY OF COOK     )

**VERIFICATION**

Koby Bailey, being first duly sworn, on oath states that I am the Director of Regulatory Affairs for Nicor, Inc., that I have read the foregoing Comments filed on behalf of Nicor Energy, L.L.C., that I know the contents thereof, and that the same is true to the best of my knowledge, information and belief.



Koby A. Bailey  
Koby Bailey

SUBSCRIBED AND SWORN TO  
before me this 13 day of April, 2000.

Catherine A. Gengler  
Notary Public

My Commission expires:

8-4-01

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>Commonwealth Edison Company</b>	:	
	:	
	:	
<b>Petition for expedited approval of</b>	:	<b>Docket No. 00-0259</b>
<b>Implementation of a market based</b>	:	
<b>Alternative tariff, to become effective</b>	:	
<b>On or before May 1, 2000, pursuant</b>	:	
<b>Article IX and Section 16-112(c) of the</b>	:	
<b>Public Utilities Act.</b>	:	

**NOTICE OF FILING**


TO: See Attached Service List

PLEASE TAKE NOTICE that on this date we have mailed for filing with the Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, Illinois 62706, the original and two (2) copies of the Comments of Nicor Energy L.L.C. in the above-designated proceeding.

DATED this 18<sup>th</sup> day of April, 2000.

Respectfully submitted,

LAW OFFICE OF MICHAEL A. MUNSON

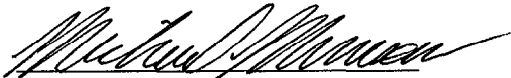
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**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>Commonwealth Edison Company</b>	:	
	:	
	:	
<b>Comments regarding expedited approval of</b>	:	<b>Docket No. 00-0259</b>
<b>Implementation of a market based</b>	:	
<b>Alternative tariff, to become effective</b>	:	
<b>On or before May 1, 2000, pursuant</b>	:	
<b>Article IX and Section 16-112(c) of the</b>	:	
<b>Public Utilities Act.</b>	:	

**CERTIFICATE OF SERVICE**

I, Michael A. Munson, hereby certify that a copy of Nicor Energy LLC's Comments regarding the above-captioned proceeding was served on the person or persons on the attached service list by depositing same in the United States Mail depository with proper postage prepaid thereon, by Federal Express, by facsimile, by hand-delivery or by electronic mail on April 18, 2000.



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